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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/751,165	01/03/2004	Simon Anthony Nield	P446	1595
7590 PAUL E. MILLIKEN 9061 WALL STREET, NW MASSILLON, OH 44646-1676			EXAMINER LOWE, MICHAEL S	
			ART UNIT 3652	PAPER NUMBER
			MAIL DATE 08/31/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/751,165

Applicant(s)

NIELD, SIMON ANTHONY

Examiner

M. Scott Lowe

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 June 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 June 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-14 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Re claims 1,5,6,9, applicant states that the device operates "without tipping the bin sideways or turning it upside down" in claim 1 but contradicts this in claim 5 by stating "the angle of inclination of the bin to the ground increase". Claims 6 & 9 also claims tilting/tipping. The definition of tipping is to tilt or incline and this is found in both the claims and drawing of applicant's invention. For sake of examination it must be assumed that there is some tipping/tilting.

Re claim 1, it is unclear what the term "it" refers to. For sake of examination it is assumed applicant meant "the bin".

Claim Objections

Claim 14 is objected to because of the following informalities: there is no space between "Claim" and the claim number in line 2. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1,2,3,7,8,10,11,14 are rejected under 35 U.S.C. 102(b) as being anticipated by Gunn (US 4,802,810).

Re claims 1,2, Gunn teaches a collection bin assembly 12 usable for a commercial laundry and which comprises a frame 14,22 resting on a floor and a bin 2 supported in the frame with its mouth oriented to receive items of laundry, the frame further including a track (various,28,36,48,56,40,41,68,etc.) which has an upward inclination relative to the floor with the bin 2 being displaceable along the track for both upwards movement away from said floor and translational movement relative to the floor to move the bin from a lowered position to a raised discharge position in which the bottom of the bin is open and is sufficiently clear of the floor to permit discharge of any contents 8 in the bin onto a conveyor 98 without turning it upside down.

Re claim 3, Gunn teaches each rail (such as 36,68) comprises a "U" cross-section channel with the mouths of the two channels arranged in opposition, and bearing means mounted (56,48,62,etc.) on the bin are engageable within the opposed channels.

Re claim 7, Gunn teaches the bin 2 moved along the track by at least one actuator 70,34 operable between the frame and the bin.

Re claim 8, Gunn teaches there are two actuators 70,34 arranged one on each side (the relative left and right sides) of the bin 2.

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Re claim 10, Gunn teaches the bin 2 has its bottom 4 (relative term) closed when in the lowered position and said bottom gradually opens as the bin is moved to its raised discharge position.

Re claim 11, Gunn teaches the bottom 4 of the bin 2 formed by a shutter 28 secured to the frame so that the shutter opens as the bin 2 moves towards the discharge position.

Re claim 14, Gunn teaches a commercial laundry system including a conveyor with at least one collection bin assembly according to Claim 1, arranged to one side of the conveyor, the discharge position for said bin being located above the conveyor.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4,5,6,12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gunn (US 4,802,810) in view of Wentzel (US 3,042,663).

Re claims 4,5,12 Gunn teaches the track having one end proximate to the floor with said track extending away from the floor so that the other end of the track is raised above the floor and is located above the conveyor but does not teach the track being arcuate. Wentzel teaches a arcuate track (generally 36,34) in order to make the bin follow a desired path. It would have been obvious to one of ordinary skill in the art at the

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time the invention was made to have modified Gunn by the general teaching of Wentzel to have an arcuate track. in order to make the bin follow a desired path.

Re claim 6, Gunn teaches the bin is substantially square in cross-section and when in a lowered (relative term) position (figure 3) is tilted at about 45 degrees to the vertical. Gunn does not give dimensions, however it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Gunn to have the bin tilt 45,60 or any other degree to meet the material sliding, space and storage requirements.

Claims 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gunn (US 4,802,810).

Re claim 9, Gunn teaches the bin is substantially square in cross-section and when in a lowered (relative term) position (figure 3) is tilted at about 45 degrees to the vertical with the forward edge of its mouth being a maximum height above the floor with its forward bottom edge being proximate (relative term) the floor. Gunn does not give dimensions, however it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Gunn to have the maximum height be of 1100 mm or any other height to meet the space and storage requirements.

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gunn (US 4,802,810) in view of Shalev (US 5,764,522).

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Re claim 13, Gunn teaches the frame 14,22 comprises two parts, a base part 14,22 standing on the floor, and an upper part (24,22,etc.) on which the track (various,28,68,etc.) and bin 2 are mounted, with the upper part resting on the base part. Gunn is silent on load sensors. Shalev teaches a load sensor 18 acting between two parts to indicate to an operator when the bin is nominally full to capacity. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Gunn by Shalev to have a load sensor 18 acting between two parts to indicate to an operator when the bin is nominally full to capacity in order to save work for the operator.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Howat (US 3,602,383) teaches a similar device.

Applicant's arguments filed 6/6/07 have been fully considered but they are not persuasive.

Applicant argued that the examiner ignored how the references operate. However, the examiner has not ignored the references or the arguments. Instead the examiner has pointed out that applicant is claiming too broadly. If the applicant desires to claim a specific relationship then each and every facet must be clearly claimed to avoid known prior art references and 112 issues. The top, sides, etc. and their

interrelations need to be clearly and carefully described in the claims to avoid rejections such as applicant is arguing against.

Applicant argued that despite the previous arguments, the new limitations overcome the known prior art. Some references are overcome but not all. As noted above, the new "tipping" limitation contradicts and clouds what applicant is claiming. Clearly there is tipping in applicant's invention, and as explained above the claims are examined with this in mind.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

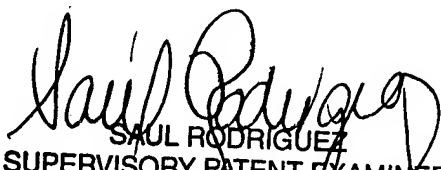
Any inquiry concerning this communication or earlier communications from the examiner should be directed to M. Scott Lowe whose telephone number is (571) 272-6929. The examiner can normally be reached on 6:30am-4:30pm M-Th.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saul Rodriguez can be reached on (571)272-7097. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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SAUL RODRIGUEZ
SUPERVISORY PATENT EXAMINER